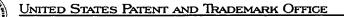
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UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO	. F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO. 4507
09/839,949	(04/19/2001	Jean-Louis Excoffier	01-02 US	
23693	7590	09/16/2002			
Varian Inc			EXAMINER		
	en Way D-1		ALLEN, MARIANNE P		
Palo Alto,	CA 94304			ART UNIT	PAPER NUMBER
				1631	_
				DATE MAILED: 09/16/2002	5

Please find below and/or attached an Office communication concerning this application or proceeding.

3,		Application No	· •	Applicant(s)				
		09/839,949		EXCOFFIER, JEAN-LOUIS				
	Office Action Summary	Examiner	***	Art Unit				
		Marianne Allen	ı	1631				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).								
Status 1)	Responsive to communication(s) filed on							
2a)□		· is action is non-	final					
3)□	,—			osecution as to the merits is				
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims								
4)⊠ Claim(s) <u>1-43</u> is/are pending in the application.								
4a) Of the above claim(s) is/are withdrawn from consideration.								
	Claim(s) is/are allowed.							
•	6) Claim(s) is/are rejected.							
-	7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/or election requirement.								
Applicati	on Papers							
9) The specification is objected to by the Examiner.								
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.								
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner.								
If approved, corrected drawings are required in reply to this Office action.								
12) The oath or declaration is objected to by the Examiner.								
Priority under 35 U.S.C. §§ 119 and 120								
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).								
a) All b) Some * c) None of:								
	1. Certified copies of the priority documents have been received.							
	2. Certified copies of the priority documents have been received in Application No							
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).								
 a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. 								
Attachment(s)								
2) Notic	e of References Cited (PTO-892) se of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449) Paper No(s)	4) _ 5) _ 6) _	Notice of Informal P	(PTO-413) Paper No(s) atent Application (PTO-152)				

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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-29 and 43, drawn to a method, system, and computer usable medium for classifying chromatograms, classified in class 704, subclass 231.
- II. Claims 30-35, drawn to an automated method for classifying chromatograms, classified in class 704, subclass 31.
- III. Claims 36-41, drawn to a second automated method for classifying chromatograms, classified in class 702, subclass 20.
- IV. Claim 42, drawn to a user interface, classified in class 345, subclass 700. The inventions are distinct, each from the other because of the following reasons:

The methods of Groups I-III can be shown to be distinct, each from the other, in that they use substantially different method steps that would require non-coextensive literature searches.

The user interface of Group IV can be shown to be distinct from each of the methods as it is not required by any of the methods.

Because these inventions are distinct for the reasons given above and the search required for Groups I-IV are not coextensive, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marianne P. Allen whose telephone number is 703-308-0666. The examiner can normally be reached on Monday-Friday, 9:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward can be reached on 703-308-4028. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3014 for regular communications and 703-305-3014 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Marianne P. Allen Primary Examiner Art Unit 1631

mpa September 11, 2002